THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.4800 OF 2006

Dt.13.3.2006

Between:

M.Muthyalappa … Petitioner

And

Mandal Revenue Officer, Anantapur

And two others. … Respondents

ORDER:

Petitioner questions the action of the 3rd respondent in not granting stay in the statutory Appeal Rc.No.E3/1433/2006 during the pendency of the said appeal as illegal and arbitrary and consequently direct the respondents not to dispossess the petitioner from the land bearing Survey No.24/1 admeasuring Ac.2.70 cents in Kukkalapalli Village, Anantapur District.

It is stated that as against the order passed by the Mandal Revenue Officer, Anantapur, in Rc.No.348/2003/B dated 14.3.2005 in resuming the land assigned to the petitioner on the ground that the petitioner alienating the said land by obtaining false permission said

to have been granted by the Mandal Revenue Officer, the petitioner filed an appeal before the Revenue Divisional Officer, Anantapur, which was dismissed in D.Dis.No.D2/677/2005 dated 25.2.2006. It is stated that as against the said order of the Revenue Divisional Officer, further appeal lies under Section 4-A(2) of the A.P.Assigned Lands (Prohibition of Transfers) Act, 1977. The appellate authority while admitting the appeal, rejected to grant stay. Against the said order of the Joint Collector, Anantapur, dated 7.3.2006, this writ petition has been filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue on behalf of the respondents.

Having regard to the facts and circumstances of the case, without expressing any opinion on the merits of the case, as the appeal filed under Section 4-A(2) is pending before the 3rd respondent, the 3rd respondent is directed to consider and dispose of the appeal as expeditiously as possible preferably within a period of six weeks from the date of receipt of copy of this order. Pending disposal of the appeal, status quo with regard to the possession of the land in question obtaining as on today shall be maintained.

The writ petition is disposed of accordingly. No order as to costs.

(V.ESWARAIAH, J.)

13.3.2006

Note: Issue copy by tomorrow.

B.O.

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